

EXHIBIT "L"

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

REID I. TAMAYOSE and)

NADINE K. TAMAYOSE,)

Plaintiffs,)

vs.) CASE NO. CV10 00185

OPTION ONE MORTGAGE) JMS BMK

CORPORATION, its successors)

and assigns; H&R BLOCK)

BANK; RESIDENTIAL CREDIT) DEPOSITION OF

SOLUTIONS, INC.; and DOES) REID I. TAMAYOSE

1-30,) July 21, 2011

Defendants.)

)

RESIDENTIAL CREDIT)

SOLUTIONS, INC.,)

Third-Party)

Plaintiff,)

vs.)

OLD REPUBLIC TITLE &)

ESCROW OF HAWAII, LTD.,)

Third-Party)

Defendant.)

)

1 DEPOSITION OF REID I. TAMAYOSE,
2 Taken on behalf of Defendants Option One Mortgage
3 Corporation, now known as Sand Canyon Corporation,
4 and H&R Block Bank at American Savings Bank Tower,
5 1001 Bishop Street, 20th Floor, Honolulu, Hawaii
6 96813, commencing at 9:04 a.m., on July 21, 2011,
7 pursuant to Notice.

8 BEFORE: SUE M. FLINT, RPR, CSR 274
9 Notary Public, State of Hawaii

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11 APPEARANCES:

12
13 For Plaintiffs: BENJAMIN BROWER, ESQ.
14 Dubin Law Offices
15 55 Merchant Street
16 Suite 3100
17 Honolulu, Hawaii 96813

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19 For Defendants Option One Mortgage Corporation, now
20 known as Sand Canyon Corporation and H&R Block Bank:

21 SHELLIE K. PARK-HOAPILI, ESQ.
22 Alston Hunt Floyd & Ing
23 American Savings Bank Tower
24 1001 Bishop Street, Suite 1800
25 Honolulu, Hawaii 96813

1 Appearances (continued) :

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3 For Defendant Residential Credit Solutions:

4 KARYN DOI, ESQ.

5 LEU & OKUDA

6 The Merchant House

7 222 Merchant Street

8 Main Floor

9 Honolulu, Hawaii 96813

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11 For Defendant Old Republic Title & Escrow of Hawaii,

12 Ltd.:

13 KEVIN W. HERRING, ESQ.

14 Ashford & Wriston

15 Alii Place, Suite 1400

16 1099 Alakea Street

17 Honolulu, Hawaii 96813

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1 (Exhibit 7 marked for identification.)

2 BY MS. PARK-HOAPILI:

3 Q. Do you see what we've marked as Exhibit 7,
4 handed over to you?

5 A. Yes.

6 Q. Do you recognize this document?

7 A. No.

8 Q. Have you seen it before?

9 A. Possibly.

10 Q. If you look at the lower left-hand corner
11 of the page, is that your signature?

12 A. Yes.

13 Q. Do you recall where you signed this
14 document?

15 A. Do -- I 'm sorry?

16 Q. Do you recall where you signed this
17 document?

18 A. I don't.

19 Q. Did you go to an office on Kauai to sign
20 this document?

21 A. I'm sure I did. I just don't -- can't
22 recall where or who

23 Q. Could it be that you signed this document
24 in an office in Honolulu?

125 A No, not that I can recall.

1 Q. In the interest of time, I'll go over this
2 document. If you look at the boxed portion of the
3 document -- do you see that?

4 A. Your right to cancel?

5 Q. Yes. It says -- it talks about you have a
6 right to cancel this transaction within three days
7 of the transaction. Do you see that?

8 A. Okay.

9 Q. What was the date of your loan
10 transaction?

11 A. The 24th.

12 Q. According to this notice, when did you
13 have to notify the lender that you wanted to cancel?

14 A. It says on the paper November 28th, 2006.

15 Q. Uh-huh. Did you contact the lender on
16 November 28, 2006 to cancel?

17 A. I'm not too sure.

18 Q. Do you know why your wife also signed this
19 document?

20 A. I don't know.

21 Q. Did you review this document before you
22 signed it?

23 A. I did not -- or I don't recall anyway.

24 Q. Did anyone tell you not to review it?

25 A. No, I don't believe so.

1 Q. When you took this document home, did you
2 review it at any time?

3 A. No.

4 Q. Did you ever contact the lender to let
5 them know that you wanted to cancel the loan?

6 A. I don't recall.

7 Q. You don't recall contacting the lender?

8 A. Unh-unh.

9 Q. Is it that you did not?

10 A. I don't believe I did personally. My wife
11 maybe, but as far as me myself, I did not.

12 Q. That's what I'm asking, just what you did.

13 A. Okay. Okay. The thing is, the reason why
14 I answer like that is because both of us are on
15 here, you know what I mean, signature-wise.

16 Q. That's fine. But I'm asking you if you
17 contacted the lender.

18 A. No.

19 Q. You did not?

20 A. Not that I can recall.

21 Q. Not that you can recall or -- you just
22 said you did not contact the lender.

23 A. You know what? Honestly, I can't
24 remember.

25 Q. But you admit that that is your signature

1 there?

2 A. I admit that is my signature. I also
3 admit that I did not look over these papers.

4 Q. Do you recall receiving your two copies of
5 this document?

6 A. I do not remember.

7 Q. We'll look at what we've marked as
8 Exhibit 8.

9 (Exhibit 8 marked for identification.)

10 BY MS. PARK-HOAPILI:

11 Q. I'm handing you what we've marked as
12 Exhibit 8. Do you recognize this document?

13 A. This document, I do remember.

14 Q. You do remember?

15 A. Well, I remember Dubin Law Offices.

16 Q. What do you remember about it?

17 A. That we talked to Mr. Dubin to assist us
18 in this case.

19 Q. In this lawsuit?

20 A. Yes.

21 Q. When did you talk to Mr. Dubin?

22 A. I can't recall.

23 Q. How did you contact Mr. Dubin?

24 A. I did not contact Mr. Dubin.

25 Q. Who contacted him?